

BK 0371 PG 0259

STATE MS.-DESOTO CO

FILED

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

APR 18 3 52 PM '00

BOBBIE TOWNSEL

BK. 371 PG 259
PETITIONER W. E. DAVIS, CLERK.

V.

CAUSE NO.: 99-2-263

FRANCIS V. CARTER, TIMOTHY E. HARVEY,
KENT SPRINGFIELD, TERRI SPRINGFIELD, HOLLIE TAYLOR,
KATIE M. SPRINGFIELD AND THE UNKNOWN HEIRS
AT LAW OF ROBERT LEE SPRINGFIELD, DECEASED

RESPONDENTS

ORDER DETERMINING AND DECREERING
HEIRS AND BENEFICIARIES AT LAW OF
ROBERT LEE SPRINGFIELD, DECEASED

THIS CAUSE CAME ON for hearing on the Petition For Court To Determine And Decree
Heirs and Beneficiaries At Law Of Robert Lee Springfield, Deceased, And For Other Relief filed
by Bobbie Townsel and the Court having considered the same finds as follows, to-wit:

I.

That Robert Lee Springfield, a resident of DeSoto County, Mississippi, was born April 8,
1936, and died intestate on or about September 3, 1997.

II.

That Robert Lee Springfield died owning real property in DeSoto County, Mississippi, and
the purpose of this Petition is to determine his heirs at law so that such real property may be sold and
the proceeds divided among his heirs accordingly. Since the real property is located in DeSoto

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County, Mississippi, venue is proper and this Court has jurisdiction to determine the heirs at law of Robert Lee Springfield, deceased.

III.

That Robert Lee Springfield fathered two children out of wedlock by the names of Francis V. Carter and Timothy E. Harvey. Both children are still living.

IV.

That Robert Lee Springfield married Ester Springfield on or about August 20, 1965. Four children were born to this marriage: Kent Springfield, Terri Springfield, Hollie Taylor and Bobbie Townsel. This marriage ended in a divorce adjudicated by the Circuit Court of Shelby County, Tennessee, dated November 3, 1981. All four children are still living.

V.

That Robert Lee Springfield married Katie M. Springfield on August 15, 1983. They were still married at the time of Robert Lee Springfield's death. Katie M. Springfield is still living.

VI.

That, as far as Petitioner knows, these are the only possible heirs and beneficiaries of Robert Lee Springfield. That Petitioner knows of no other heirs other than the above named heirs and beneficiaries. Out of an abundance of caution, a Waiver of Process was obtained and executed by each of the named defendants in lieu of issuing summons to each named defendant. Each Waiver of Process has been filed of record in this matter. Further, Summons By Publication was issued to any and all unknown heirs at law of Robert Lee Springfield by a legal notice published in the DeSoto Times Today on March 17, 24 and 31, 2000. The proof of publication was filed of record in this matter.

VII.

That an Estate of Robert Lee Springfield has been opened under this same cause number. Notice to creditors was published on April 20; April 27; and May 4, 1999, therefore the ninety days statute of limitations has run and long since expired. Letters of Administration were granted by this Court by a Decree dated March 8, 1999. All the parties in this cause or some of the parties in this cause should be recognized and decreed as the only heirs and beneficiaries of Robert Lee Springfield, Deceased.

VIII.

That Petitioner, as Administratrix of the Estate of Robert Lee Springfield, has previously been authorized and directed by this Court to execute a deed on the subject land located in DeSoto County, which was owned by the Decedent at the time of his death, to Charles R. Pogue/Venture Builders and to deposit said sum less closing costs into a counsel's escrow account. Such Order was signed on February 14, 2000.

IX.

That pursuant to Section 91-1-29 of the Mississippi Code of 1972, annotated, all Respondents were cited to appear and answer this Petition with Summons by Publication addressed to the heirs at law as required by law, and returnable before this Court in vacation and it is now proper for this Court to determine the true heirs and beneficiaries of Robert Lee Springfield, and the respective shares of the assets of his estate be determined and recognized by this Court.

X.

That the heirs of Robert Lee Springfield are as follows:

Bobbie Townsel
3356 Burgess Drive
Memphis, Tennessee 38118

Timothy E. Harvey
4702 Dove Creek Way
Dallas, Texas 75232

Hollie Taylor
1408 Ralston
Memphis, Tennessee 38106

Francis V. Carter
5397 Sputnik Drive
Memphis, Tennessee 38118

Terri Springfield
3793 Tchulahoma
Memphis, Tennessee 38118

Kent Springfield
3793 Tchulahoma
Memphis, Tennessee 38118

Katie M. Springfield
5298 Sun Ray
Memphis, Tennessee 38118

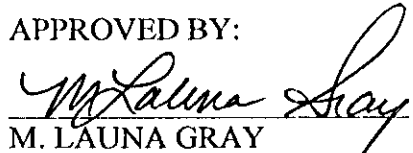
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That Bobbie Townsel, Timothy E. Harvey, Hollie Taylor, Francis V. Carter, Terri Springfield, Kent Springfield and Katie M. Springfield are the only heirs at law of Robert Lee Springfield, deceased;
2. That the claims of all other persons who might claim to be heirs at law of Robert Lee Springfield, deceased, are hereby barred; and
3. That the Clerk of this Court is authorized to provide the parties with a certified copy of this Order to be filed among the land records of DeSoto County in the appropriate records to show that Bobbie Townsel, Timothy E. Harvey, Hollie Taylor, Francis V. Carter, Terri Springfield, Kent Springfield and Katie M. Springfield have inherited the real property and assets of Robert Lee Springfield, deceased, said property being more particularly described on Exhibit "A" to this Order and incorporated herein by reference.

SO ORDERED, ADJUDGED AND DECREED, this the 18th day of April, 2000.


CHANCELLOR

APPROVED BY:



M. LAUNA GRAY

Holcomb Dunbar, A Professional Association

Post Office Box 190

Southaven, Mississippi 38671

662-349-0664

Attorney for Petitioner

Description of an 8.439 acre tract being situated in the southeast 1/4 of Section 34, T-1-S, R-7-W, in Southaven, Desoto County, Mississippi, said tract being comprised of the Robert Lee Springfield tracts as recorded in Warranty deed book 196, page 152, and Warranty deed book 185, page 663, and Quit Claim deed book 157, page 81, and being the same property conveyed to Terri and Kent Springfield in Will book 23, page 788, and being more particularly described as follows: Beginning at an old 1-1/4" angle iron (found) at the southwest corner of lot 7 of the Banks Acre Subdivision, Section "B" as recorded in Plat book 16, page 15; Thence northwardly along the east line of the Snowden tract (D.B. 18, PG. 391) the following courses to 1/2" rebars found: N 4°16'43"W 477.93', N 4°44'20"W 91.54', N 4°30'36"W 51.34', N 4°12'04"W 255.83'; Thence Eastwardly along the South line of Rolling Oaks Subdivision Section "B" as recorded in Plat book 18, pages 31 and 32 the following courses to 1/2" rebars found: N 86°39'46"E 246.29', N 86°19'26"E 240.64' to a 1/2" rebar found at the northeast corner of the Springfield 3.8 acre tract (warranty deed book 196, page 152); Thence S 2°49'19"E along the west line of the Cornelius Brown tract as recorded in deed book 38, page 308 a distance of 332.63' to a 1/2" rebar (found) Thence S 3°02'45"E continuing along said west line 137.67' to 1/2" rebar found at the northeast corner of lot 7 of Banks Acre Subdivision Section "B" (P.B. 26, pg15) said point being at the west right-of-way of Banks Drive (50' R.O.W.); Thence S 4°27'32"E along the west line of said right-of-way 212.24' to a 3/8" rebar (set); Thence S 85°30'14"W along the north line of the Banks Acre Subdivision as recorded in Plat book 7, page 7 a distance of 270.00' to a 1-1/4" angle iron (found) at the northwest corner of lot 1 of said subdivision; Thence S 5°02'46"E along the west line of said lot 1 a distance of 189.26' to a 1-1/4" angle iron (found) at the Northeast corner of the Saulsberry tract as recorded in Deed book 47, page 162; Thence S 86°26'17"W along the north line of said Saulsberry tract 208.08' to the point of beginning containing 367,618.799 square feet or 8.439 acres.

Subject to City of Southaven and Desoto County Subdivision and Zoning Regulations.
Subject to any easements for public utilities.

Indexing instructions: SE 1/4 of Section 34, Township 1 South, Range 7 West



CHANCERY COURT
STATE OF MISSISSIPPI, COUNTY OF DESOTO
I HEREBY CERTIFY that the above and foregoing is
a true copy of the original filed in this office.
This the 18 day of April, 2000
W. E. Davis, Clerk of the chancery court
By E. Smiley D.C.